

HB4425 (veto)

FILED  
2014 MAR 28 P 6:38  
OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**WEST VIRGINIA LEGISLATURE**  
SECOND REGULAR SESSION, 2014

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**ENROLLED**

COMMITTEE SUBSTITUTE  
FOR

**House Bill No. 4425**

(By Delegates White, (By Request), Marcum, Ferro,  
Manchin, D. Poling, Caputo, Boggs,  
Swartzmiller, Craig, Barker and Skaff)

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Passed March 6, 2014

In effect ninety days from passage.

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## H. B. 4425

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(BY DELEGATES WHITE, (BY REQUEST), MARCUM,  
FERRO, MANCHIN, D. POLING, CAPUTO, BOGGS,  
SWARTZMILLER, CRAIG, BARKER AND SKAFF)

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A BILL to amend and reenact §15-2-7 of the Code of West Virginia, 1931, as amended, relating to giving the Superintendent of the West Virginia State Police authority to employ legal counsel and legal support staff when necessary.

*Be it enacted by the Legislature of West Virginia:*

That §15-2-7 of the Code of West Virginia, 1931, as amended, be amended and reenacted, to read as follows:

### ARTICLE 2. WEST VIRGINIA STATE POLICE.

**§15-2-7. Cadet selection board; qualifications for and appointment to membership in State Police; civilian employees; authority to employ legal counsel and staff when necessary.**

- 1 (a) The superintendent shall establish within the West
- 2 Virginia State Police a cadet selection board which shall be
- 3 representative of commissioned and noncommissioned officers
- 4 within the State Police.

5 (b) The superintendent shall appoint a member to the  
6 position of trooper from among the top three names on the  
7 current list of eligible applicants established by the cadet  
8 selection board.

9 (c) Preference in making appointments shall be given  
10 whenever possible to honorably discharged members of the  
11 Armed Forces of the United States and to residents of West  
12 Virginia. Each applicant for appointment shall be a person not  
13 less than twenty-one years of age nor more than thirty-nine years  
14 of age, of sound constitution and good moral character; is  
15 required to pass any mental and physical examination; and meet  
16 other requirements as provided in rules promulgated by the cadet  
17 selection board: *Provided*, That a former member may, at the  
18 discretion of the superintendent, be reenlisted.

19 (d) No person may be barred from becoming a member of  
20 the State Police because of his or her religious or political  
21 convictions.

22 (e) The superintendent shall adhere to the principles of equal  
23 employment opportunity set forth in article eleven, chapter five  
24 of this code and shall take positive steps to encourage  
25 applications for State Police membership from females and  
26 minority groups within the state. An annual report shall be filed  
27 with the Legislature on or before January 1 of each year by the  
28 superintendent which includes a summary of the efforts and the  
29 effectiveness of those efforts intended to recruit females,  
30 African-Americans and other minorities into the ranks of the  
31 State Police.

32 (f) Except for the superintendent, no person may be  
33 appointed or enlisted to membership in the State Police at a  
34 grade or rank above the grade of trooper.

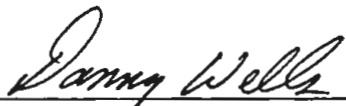
35 (g) The superintendent shall appoint civilian employees as  
36 are necessary and all employees may be included in the  
37 classified service of the civil service system except those in  
38 positions exempt under the provisions of article six, chapter  
39 twenty-nine of this code.

40 (h) Effective July 1, 2001, civilian employees with a  
41 minimum of five years' service shall receive a salary increase

42 equal to \$100 a year for each year of service as a civilian  
43 employee. Every three years thereafter, civilian employees who  
44 have five or more years of service shall receive an annual salary  
45 increase of \$300. The increases in salary provided by this  
46 subsection are in addition to any other increases to which the  
47 civilian employees might otherwise be entitled.

48 (i) The superintendent may employ the legal counsel and  
49 legal support staff that he or she may determine to be necessary,  
50 who shall not be included in the classified service of the civil  
51 service system.

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.



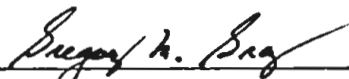
Chairman, House Committee



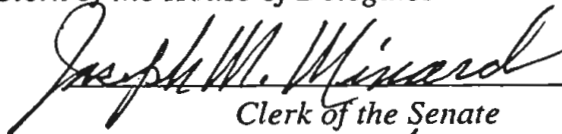
Chairman, Senate Committee

Originating in the House.

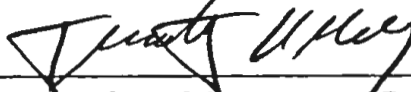
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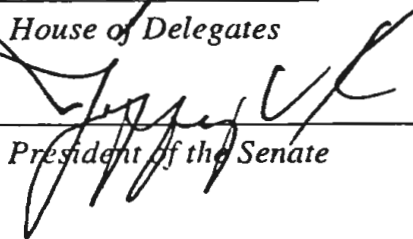
Clerk of the House of Delegates



Clerk of the Senate



Speaker of the House of Delegates



President of the Senate

The within is disapproved this the 28th  
day of March, 2014.

  
Governor

PRESENTED TO THE GOVERNOR

MAR 17 2014

Time 3:35 pm